

[illegible]

DATE: August 10, 2001

PROPOSAL: Petition to vacate the east 20' of South 12th Street between 'A' Street and 'B' Street

WAIVER REQUEST: None

LAND AREA: The ROW is 20' X 284'; 5,680 square feet, more or less.

CONCLUSION: This vacation is not in conformance with the Comprehensive Plan and could have substantial impacts on the sidewalk, setback, streetscape, street trees, future utilities, density and general fabric of development of the neighborhood.

RECOMMENDATION:

DENIAL

GENERAL INFORMATION:

LEGAL DESCRIPTION: The east 20' of South 12th Street adjacent to Lots 6 and 7, Block 241, Original Plat of Lincoln, in the SE 1/4 of Section 26, Township 10 North, Range 6 East, Lincoln, Lancaster County, Nebraska.

LOCATION: South 12th Street from “A” to “B” streets.

APPLICANT: Aileen A. Eliker
3920 N. 60th Street
Lincoln, NE 68507
(402) 466 - 4512

Steven M. and Betty J. Nelson
4830 Birch Hollow Drive
Lincoln, NE 68516
(402) 420 - 2773

OWNER: Same

CONTACT: Same

EXISTING ZONING: R - 6 Residential District

EXISTING LAND USE: Single family residence on each lot.

SURROUNDING LAND USE AND ZONING:

North: Everett Elementary School, zoned P Public and R-6 Residential
South: Mixed residential uses, zoned R - 6 Residential
East: Mixed residential uses, zoned R - 6 Residential
West: Mixed residential uses, zoned R - 6 Residential

ASSOCIATED APPLICATIONS: None

HISTORY: Platted in 1867 as part of the Original Plat of the City.

COMPREHENSIVE PLAN SPECIFICATIONS: Shown as Urban Residential on the Land Use Plan Map. The Comprehensive Plan also states “**A CONTINUING COMMITMENT TO NEIGHBORHOODS:** Neighborhoods are one of Lincoln's great strengths and their conservation is fundamental to this plan. The health of Lincoln's varied neighborhoods and districts depends on implementing appropriate and individualized policies. In addition, the land use plan is the basis for zoning and other land development decisions. It should guide decisions that will maintain the quality and character of the community's established neighborhoods.” (pg 36a)

UTILITIES: Available

TOPOGRAPHY: Flat

TRAFFIC ANALYSIS: “A” is a major street, 12th Street and “B” Street are local residential streets

PUBLIC SERVICE: Lincoln Fire and Police

REGIONAL ISSUES: NA

ENVIRONMENTAL CONCERNS: Potential reduction of green space.

AESTHETIC CONSIDERATIONS: Reduction of open space

ALTERNATIVE USES: Apartment units of up to 6 units per lot, provided parking can be provided.

ANALYSIS:

1. This request is to vacate the east 20' of South 12th Street from ‘A’ Street to ‘B’ Street. The stated purpose is for future residential development.

2. The vacation of the street and enlargement of the existing 50' by 142' lots will increase the potential number of units allowed under the R - 6 zoning from 6 units to 9 units per lot.

3. Public Works letter of July 25th notes;

Sufficient petitions have been received.

Lincoln Electric system has requested permanent easement be retained for the entire area of this proposed vacation for possible future construction.

Parks and Recreation comment that the vacation could impact 7 existing trees if the lots are widened.

The vacation of the 20' would affect the existing sidewalk line through the neighborhood as well as the setback lines.

Existing street pavement is 31 feet, the remaining right-of-way does not meet standards.

Public Works recommends denial and easements should be established if vacated.

4. Urban Development notes this is not supported in the Everett Focus Area Plan.

5. This is not in conformance with the Comprehensive Plan.

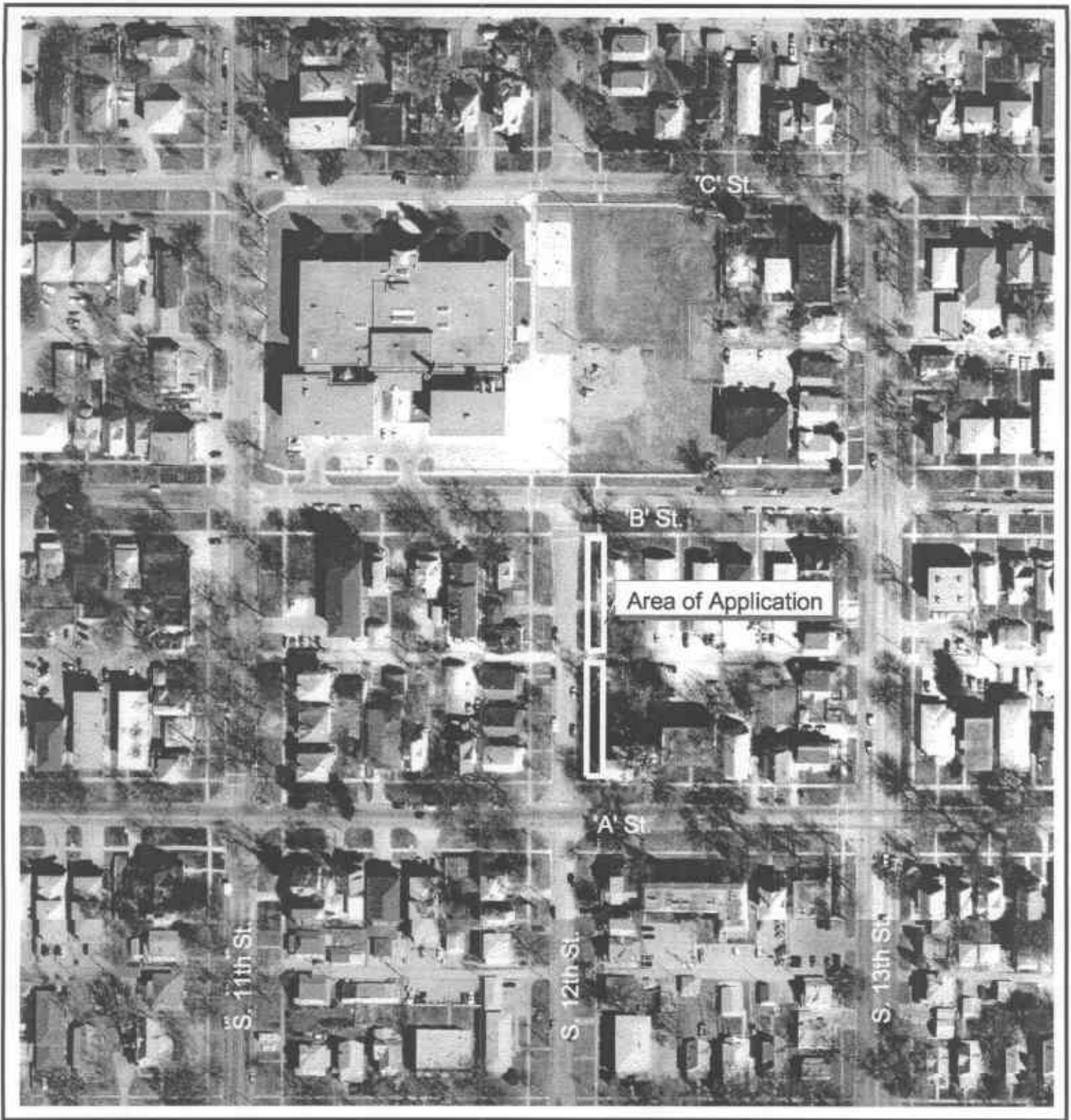
CONDITIONS:

If, after public hearing, the Planning Commission votes to approve this request, the following conditions are suggested by staff.

1. Provide the requested easement for existing and future LES and other utility lines on the entire area of the vacation.

Prepared by:

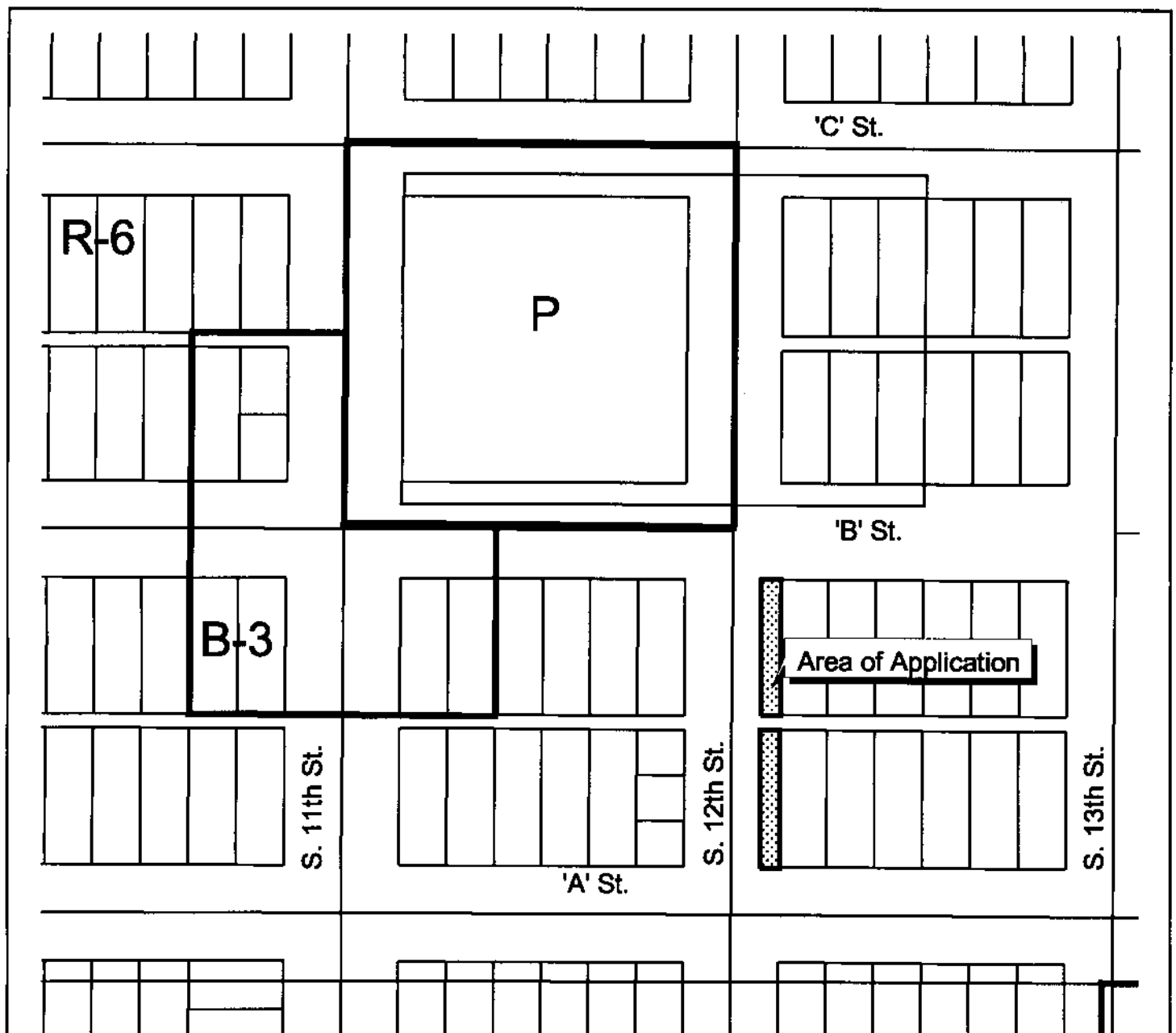
Michael V. DeKalb, AICP
Planner



Street and Alley Vacation #01011
S. 12th St & 'B' St.



8-14-01
Photograph Date: 1997

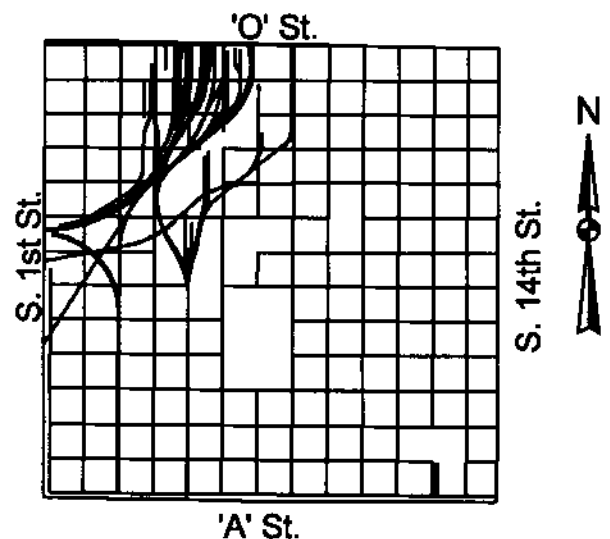
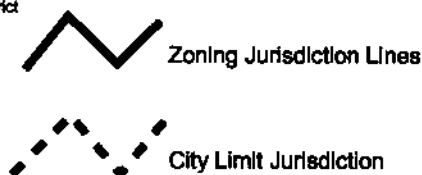


Street and Alley Vacation #01011 S. 12th St & 'B' St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 26 T10N R6E



'A' St.

8-14-01

Lincoln City - Lancaster County Planning Dept.



Carole M Eddins

To: Michael V Dekalb/Notes@Notes

cc:

08/10/2001 03:29 PM

Subject: Vacation of 12th between A and B Sts

The subject vacation is identified for 'future development' and is located in the Everett Neighborhood. This block is R-6 zoned and the City-adopted Focus Area Plan covering the northern half of the neighborhood identifies density as a challenge to its revitalization and seeks "continued owner occupancy as vital to stability," specifically seeking to "decrease density by several methods, including deconversion of existing multiples...."

The Everett Focus Area Plan, written in 1997, states that the percentage of owner-occupied housing units was less than 10% in the Focus Area (9th to 13th, A to G Sts.), while the percentage for the entire neighborhood (9th to 13th, South to G Sts.) was just over 14.3% of owner occupied housing units. Any future development that increases density would not support the neighborhood's plan to stabilize and revitalize this historic part of our City.

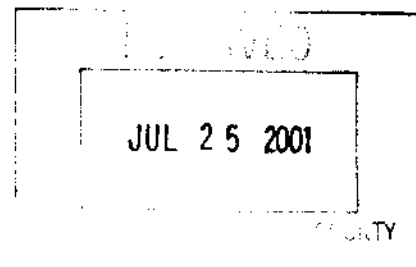
Lincoln



Nebraska's Capital City

July 25, 2001

Lincoln City/Lancaster County
Planning Commission
Lincoln, Nebraska 68508



*RE: Vacating the East 20 feet of South 12th Street Adjacent to
Lots 6 and 7, Block 241, Original Plat of Lincoln*

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received sufficient and proper petitions from Steven M. Nelson, owner of Lot 6, Block 241 Original Plat of Lincoln and Aileen Eilker, owner of Lot 7, Block 241 Original Plat of Lincoln, to vacate the above described public right-of-way. Petitioners request this vacation to increase the width of their lots for future development.

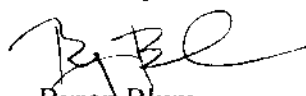
Lincoln Electric System has requested that a permanent easement be retained for the entire area of this proposed vacation for possible future construction. Parks and Recreation comment that the vacation could impact 7 existing trees if the lots are widened and construction/demolition occurs.

The vacation of this east 20 feet would also affect the existing sidewalk line through this neighborhood as well as the building setback lines.

Existing South 12th Street pavement is 31 feet wide. The 30 feet remaining right-of-way east of the centerline does not meet standards for street right-of-way.

The Department of Public Works recommends denial of this proposed vacation. If the vacation is approved, the above easements should be established. This vacation contains an area of 5,680 square feet, more or less.

Sincerely,

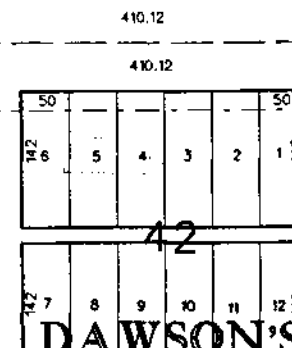
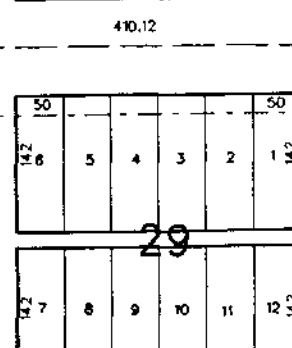
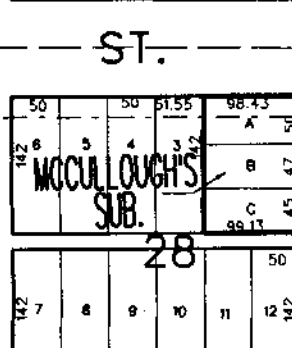
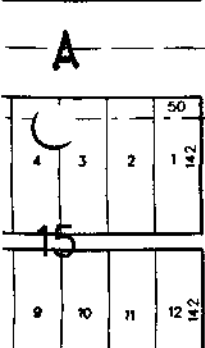
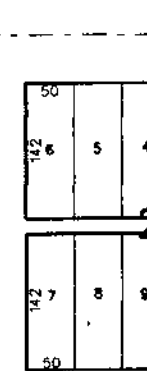
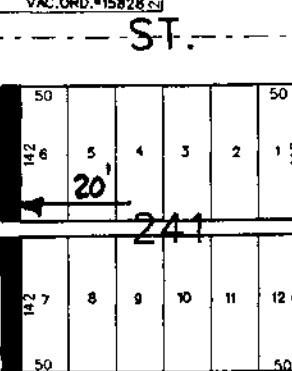
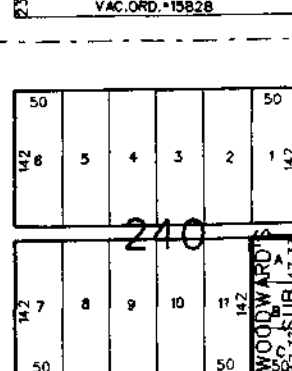
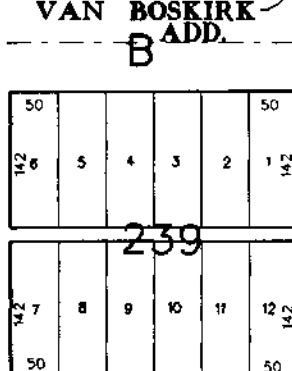
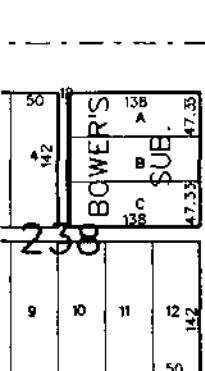
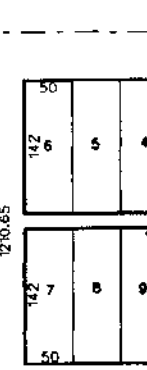
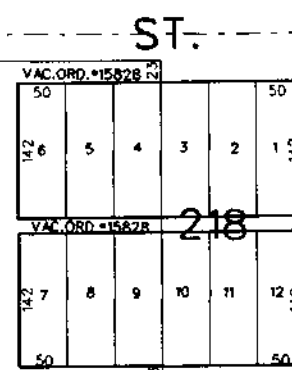
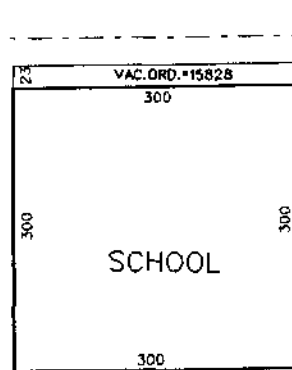
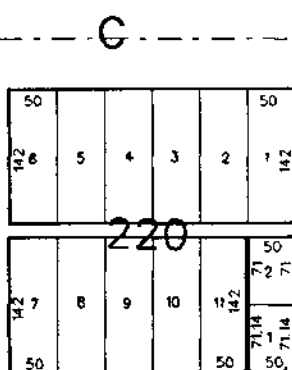
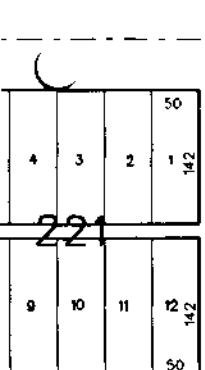
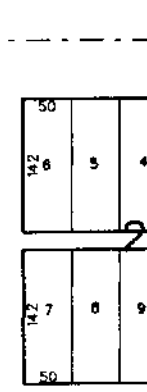
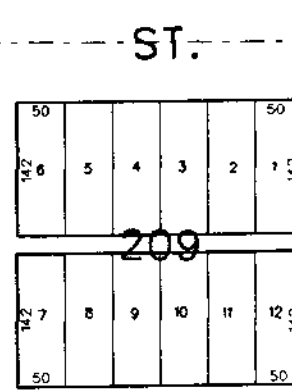
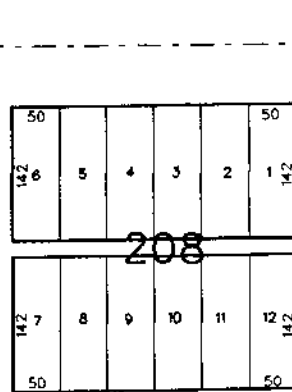
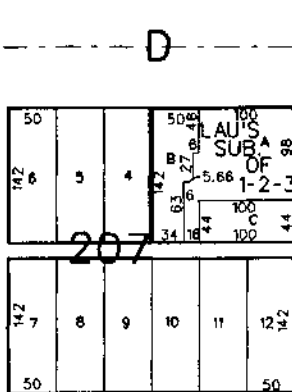
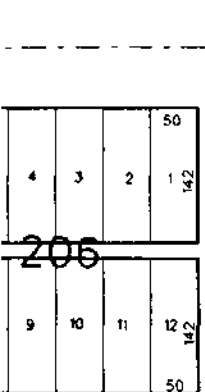
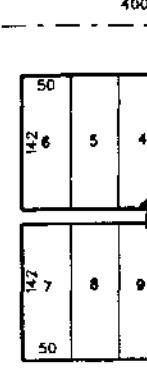
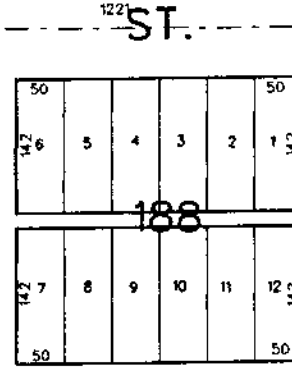
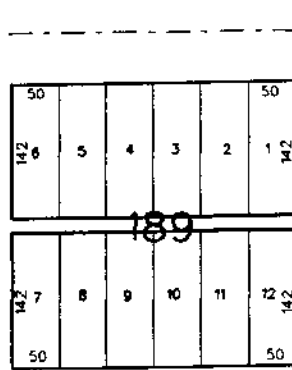
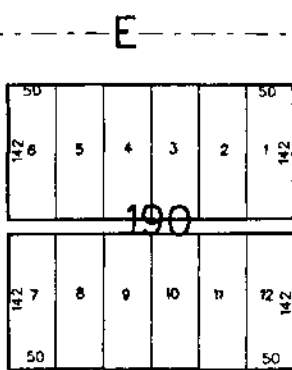
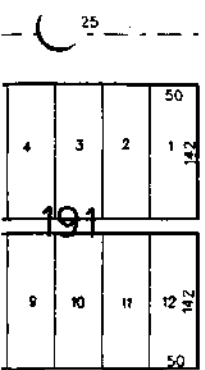
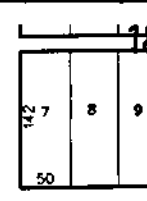
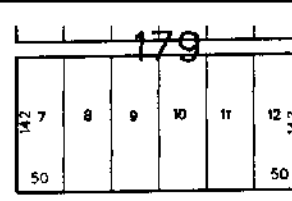
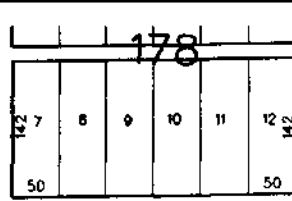
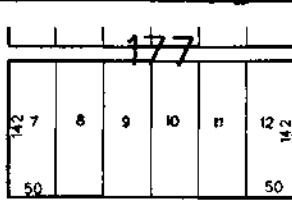
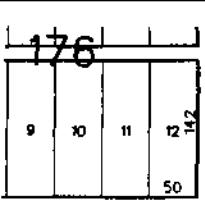

Byron Blum
Engineering Services

SO12Vac tdm.wpd

cc: Allan Abbott
Ann Harrell
Kathleen Sellman
Marc Wullschlegler
Roger Figard
Joan Ross
Clint Thomas
Dana Roper

Engineering Services Division / Public Works and Utilities Department / Allan Abbott, Director

531 Westgate Blvd. / Suite 100 / Lincoln, NE 68528 / Phone: 402-441-7711 / Fax: 402-441-6576 / Website: www.ci.lincoln.ne.us



INFORMATION SHEET

An Information Sheet must be filled out completely by the owners of each parcel abutting the requested vacation. The attached **Petition to Vacate Public Way** must also be filled out completely according to the instructions contained in the Instruction Sheet.

1. Name of Petitioner (Current Titleholder/s): Steven M. & Betty J. Nelson
If more than one individual, indicate if you are:
X joint tenants with right of survivorship, OR _____ tenants in common
2. Petitioner's Address: 4830 Birch Hollow Drive
Lincoln, NE 68516
3. Petitioner's Telephone Number: (402) 420-2773
4. Social Security Number of each Petitioner or Federal Employer Identification No. if a corporation:

5. Name of street, alley, or other public way sought to be vacated: East 20 feet of South 12th
Street, Adjacent to Lot 6, Block 241, Original Plat.
6. Why are you seeking to have this street, alley, or other public way vacated?
To create a wider lot for future development.
7. What use or uses do you propose to make of the public way should it be vacated?
Residential Lot.
8. Do you intend to purchase that portion of the vacated public way which abuts your property as described in the
Petition to Vacate Public Way and/or other portions of the vacated public way?
X YES NO
11. Name and address of person to whom tax statement should be sent:
Steven M. & Betty J. Nelson
4830 Birch Hollow Drive
Lincoln, NE 68516

Prior to third reading of the Vacation Ordinance before the City Council, the property will be appraised. The purchase price of the portion abutting your property must be paid to the City Clerk at that time, or the property will be sold to any other abutting owner willing to pay the purchase price. The Vacation Ordinance will not receive third reading until the full price of the entire public way proposed to be vacated has been paid.

***** IMPORTANT: BE SURE THAT THE PETITION TO VACATE PUBLIC WAY HAS BEEN PROPERLY EXECUTED BY ALL TITLEHOLDERS TO YOUR PROPERTY AND ATTACH IT TO THIS INFORMATION SHEET.**

INFORMATION SHEET

An Information Sheet must be filled out completely by the owners of each parcel abutting the requested vacation. The attached **Petition to Vacate Public Way** must also be filled out completely according to the instructions contained in the Instruction Sheet.

- Name of Petitioner (Current Titleholder/s): Aileen A. Elikor
- If more than one individual, indicate if you are:
_____ joint tenants with right of survivorship, OR _____ tenants in common
- Petitioner's Address: 3920 N. 60th Street
Lincoln, NE 68507
- Petitioner's Telephone Number: (402) 466-4512
- Social Security Number of each Petitioner or Federal Employer Identification No. if a corporation:
- Name of street, alley, or other public way sought to be vacated: East 20 Feet of South 12th Street adjacent to Lot 7, Block 241, Original Plat.
- Why are you seeking to have this street, alley, or other public way vacated?
To create a wider lot for future development.
- What use or uses do you propose to make of the public way should it be vacated?
Residential Lot.
- Do you intend to purchase that portion of the vacated public way which abuts your property as described in the Petition to Vacate Public Way and/or other portions of the vacated public way?

X YES / NO
- Name and address of person to whom tax statement should be sent:

Aileen A. Elikor
3920 N. 60th Street
Lincoln, NE 68507

Prior to third reading of the Vacation Ordinance before the City Council, the property will be appraised. The purchase price of the portion abutting your property must be paid to the City Clerk at that time, or the property will be sold to any other abutting owner willing to pay the purchase price. The Vacation Ordinance will not receive third reading until the full price of the entire public way proposed to be vacated has been paid.

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